Atty. Dkt. No. 034896-0128

Amendment and Request for Reconsideration U.S. Appln. No. 10/808,379

### Amendments to the Specification:

Please amend the specification by amending the paragraphs starting on page 1, line 1, and ending on page 5, line 22, as follows:

DAHLIA PLANT NAMED 'MAURITIUS'

Genus and species of the plant claimed:

Dahlia hortorum (hybrid)

Variety denomination:

Mauritius

### BACKGROUND OF THE INVENTION

The present Invention relates to a new and distinct cultivar of *Dahlia* plant, botanically known as *Dahlia hortorum*(hybrid), and hereinafter referred to by the name 'Mauritius'. The new cultivar 'Mauritius' is a product of a planned breeding program and was selected by the Inventor, Jan SkojdSkjold Knudsen, in Fyn, Denmark. The new cultivar 'Mauritius' originated from a cross made by the Inventor between the *Dahlia* cultivar designated 'Anne' (unpatented) as the female parent and the *Dahlia* cultivar designated '00.D.031' (unpatented) as the male parent.

Asexual reproduction by cuttings of the new variety in Fyn, Denmark has demonstrated that the combination of characteristics as described herein for 'Mauritius' are firmly fixed and are retained through successive generations of asexual reproduction. The new variety reproduces true to type.

### BRIEF DESCRIPTION OF THE INVENTION

'Mauritius' has not been tested under all available environmental conditions and the phenotype may vary with variations in environmental conditions such as temperature, light intensity, day length and humidity, without a change in genotype of the plant.

The following traits have been repeatedly observed and are determined to be the unique characteristics of 'Mauritius'. The following characteristics in combination distinguish 'Mauritius' as a new and distinct cultivar:

- 1. Red-purple flowerray floret color, RHS 65A, yellow base 5C;
- 2. Leaf length up to 16 cm; leaf width 14 cm;
- 3. Compact plant habit; and
- 4. Vigorous growth habit.

Side-by-side comparisons between the new *Dahlia* cultivar 'Mauritius' and the parental cultivars, 'Anne' and '00.D.031', were conducted by the Inventor in Fyn, Denmark. 'Anne' has about half the number of inflorescences and buds per plant in comparison to 'Mauritius'.

'Mauritius' differs from the male parental cultivar, '00.D.031', primarily in ray floret color and inflorescence size. The ray florets of 'Mauritius' are red-purple, whereas the ray florets of '00.D.031' are white. The inflorescence of '00.D.031' is smaller in size than 'Mauritius'.

Of the commercial cultivars known to the Inventor, the most similar in comparison to the new *Dahlia* cultivar 'Mauritius' 'is a is the female parental cultivar *Dahlia* variety named 'Anne'. (unpatented).—'Anne' has about half the number of flowers and buds per plant in comparison to 'Mauritius'.

### BRIEF DESCRIPTION OF THE DRAWINGS

The accompanying color photographs illustrate the overall appearance and details of flowerinflorescence form color and structures of the new cultivar, showing the colors as true as it is reasonably possible to obtain in color reproductions of this type. Colors in the photographs may differ slightly from the color values cited in the detailed botanical description, which more accurately describe the actual colors of the new *Dahlia*.

The first photograph is a side view of a typical flowering plant of 'Mauritius' as grown in an 11 cm pot. The second photograph is a top view of a typical flowering plant of 'Mauritius'. The third photograph is a close-up of the flowerinflorescence of 'Mauritius'.

### **DETAILED BOTANICAL DESCRIPTION**

The following observations, measurements and values describe 8 week old plants grown under commercial conditions. Plants described were grown in a greenhouse in Fyn, Denmark with average day temperatures of 18 °C to 25 °C, and night temperature of 16 °C. All color references are measured against the Royal Horticultural Society (RHS) Colour Chart. Colors are approximate as color depends on horticultural practices such as light level and treatment rate, among others, without however any variance in genotype.

### PLANT:

Form:

Globular, upright

Height:

20 cm

Spread:

20 cm

Natural flowering season:

Summer to fall

Crop time:

After rooting, about 10 - 12 weeks are required to produce

finished flowering plants in 11 cm pots

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Plant vigor: Vigorous

Root structure: Fibrous

Stem: Yellow-green RHS 144, glabrous; diameter 12 mm

Lateral branches: 12 in quantity; 7-10 mm diameter; 14 cm in length

(including flowerinflorescence); color: yellow-green,

RHS 144C

Internode length: 3 cm

Foliage:

Leaflets:

Quantity: 4-5 pairs per lateral branch

Arrangement: Opposite, decussate

Length: Up to 16 cm

Width: 14 cm

Shape: Elliptical, acuminate tip, decurrent base, crenate margin

Texture: Glabrous

Color: Upper side: green RHS 137 A (both mature and immature);

underside gray-green RHS 191 C (immature), RHS 191B (mature)

Vein color: Upper side 138C; under side yellow-green RHS 144B

Petiole: 2-3 cm in length; 5-8 mm diameter; color RHS 144A

FLOWERINFLORESCENCE:

Arrangement: Composite flowersinflorescences in leaf axils

Inflorescence type: Capitulum

Inflorescence height: 3-4 cm

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Inflorescence width: 7 - 8 cm

Flowering habit: Upright

Quantity of flowersinflorescences: 2 per lateral stem

FlowerInflorescence longevity: 7 days on the plant

Bud:

Quantity: 2-3 per lateral stem (buds continue to develop when dead flowers are

removed)

Shape: Globular

Size: Up to 2 cm in length, 1 cm diameter

Color: RHS 144C

PetalFlorets:

Appearance: Disc; tubular to single, fused petalfloret (5-7 whorls of disk florets,

each with 1 to 20 florets to equal a total of about 60 disk florets, which

are yellow in appearance due to the transparent corollas and the

underplaying yellow, RHS 11A; ray: single fused floret (7 whorls of

ray florets, each with 1 to 18 florets to equal a total of about 70 ray

florets)

Shape: Disc, lanceolate; ray oval, slightly involute

Number: Disc, 5 fused; ray, 5 fused; with about 60 disk florets and 70

ray florets per capitulum (depending on light and temperature

conditions)

Length: Disc 2 - 5 mm, ray 25 mm

Width: Disc 2 mm, ray 19 mm

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Diameter:

Disc 2-3 mm

Margin:

(Disc and ray), Eentire

Apex:

(Disc and ray), Rrounded

Color:

Disk: translucent showing yellow, RHS 11A, anthers; Ray: Immature upper side, red-purple RHS 68C with yellow base, RHS 5D; immature under side, light red-purple RHS 69B at base and purple, RHS 76D, apically; mature upper side, red-purple RHS 65A, with yellow base RHS 5C; mature under side red purple RHS 65D (development and tones of color for florets may change slightly depending on light and

temperature conditions)

### SepalsPhyllaries:

Length:

14 mm

Width:

9 mm

Margin:

Entire

Base:

Fused

Apex:

Rounded

Color:

Immature upper side RHS 138A; immature under side RHS

143D with stripes RHS 143A; mature upper side RHS 137A;

under side RHS 191B with stripes RHS 143A

Calyx:

2 mm length, 1.5 cm diameter

Peduncle:

8 cm length, 3 mm diameter; strength: strong; color RHS 144C with

stripes RHS 144A

## Reproductive organs:

### Androecium:

Location: Disk florets only

Anthers: 4 mm in length, RHS 23B

Pollen: RHS 14A

## Gynoecium:

Location: Disk and ray florets

Pistils: 1 per disc floret, 1 ray per ray floret, 15 mm length

Stigma: RHS 14A

Style: 10 mm length, RHS 1B

Ovary: RHS 150B

Temperature tolerance: High tolerance to 35 °C; low tolerance to 0 °C